

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Snyder)	
Serial No.:	10/709,182)	
Filing Date:	April 20, 2004)	Confirmation No. 3181
Attorney Docket:	U03-0233.076)	
Art Unit:	2681)	
Examiner:	Smith, Sheila)	
)	
Title:	INFORMATION SERVICE)	
	PHONEBOOK UPDATE)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE UNDER 37 C.F.R § 1.111

Sir:

This reply by Applicants is in response to the Office Action dated March 23, 2006.

REMARKS

The present invention is directed toward the automatic storing on a mobile phone of a phone number that was solicited from an information service such as dialing 411. The mobile phone user will contact the information service by dialing 411 (or the like). Either a live operator or automated answering system will guide the mobile phone user through the process of obtaining the phone number sought by the mobile phone user. The mobile phone number is audibly provided to the mobile phone user by the information service. The mobile phone detects the audible recitation of the phone number and can store it within the mobile phone. In another embodiment, the information service can provide the requested phone number in an SMS text message addressed to the mobile phone. Either way, the mobile phone user has obtained and can store a copy of the requested phone number as opposed to "hearing" the requested phone number one time. Thus, the present invention is specifically targeted to information service directories that perform look-up assistance for phone numbers on an as needed basis.

The Examiner has cited U.S. Pat. No. 6,947,527 to Clark Jr. pursuant to 35 USC 102(e) in her rejection of claims 1-6, 8, 9, 11-21, 23, 24, 26-30, 32-36. The Clark Jr. patent was also cited as the primary reference in a 35 USC 103(a) rejection of the remaining claims of the application (7, 10, 22, 25, 31, and 37). Clark Jr. is directed toward the network infrastructure of a telephony server system

that more efficiently manages its own resources via enhancements in the art of release link technology. All of the steps and elements described by Clark Jr. are contained within or are performed within the telephony network infrastructure. This is in stark contrast to the present invention in which the steps and elements described are contained exclusively within a mobile phone. The Examiner specifically cites col. 9, ln. 54 through col. 10, ln. 32 as reading on claim 1. It is abundantly clear, however, that the voice integrated platform referred to is completely housed in the telephony server system (network infrastructure) and not within a mobile phone. Moreover, all voice recognition performed pursuant to Clark Jr. is from the perspective of the telephony infrastructure 'recognizing' an input from a terminal user (landline or mobile). Voice recognition in the present invention is performed exclusively by the mobile phone when parsing the audible receipt of requested 411 telephone number information.

A fair reading of Clark Jr. does not, in Applicant's opinion, read on claim 1 or any other claim of the present invention. The cited portions of Clark Jr. are dedicated to describing telephone network infrastructure equipment and interactions. Any reference to wireless technology is merely in the context of the network infrastructure being configurable to communicate with a mobile phone (see, col. 9, lns. 29-30)

The present invention describes and claims a system and method (*performed in or by a mobile phone*) for storing a telephone number obtained from a 411 type telephone information service. The mobile phone contacts a 411 service, requests, and obtains a desired telephone number. The desired telephone number is then stored locally on the mobile phone for future use without having to re-dial the 411 information service. The audible response from the 411 service is stored after the response is parsed into a string of numbers using voice recognition techniques within the mobile phone. Thus, the only voice recognition involved in the present invention occurs within the mobile phone not within the telephone network infrastructure.

The present invention is unconcerned with telephone network infrastructure resource management such as release link technology.

In sum, the Examiner has misapplied the Clark Jr. patent to the present invention in several ways. Clark Jr. and the present invention are solutions to different problems that utilize different methods, infrastructure, and communication means to exchange data between different devices for completely different purposes. Clark Jr. is directed toward an apparatus and method that implements a release link technology in a multitude of switches and environments and provides a reusable voice channel, particularly, in association with a telephony system employing speech recognition technology. (See, col. 2, lns. 15-20) This clearly indicates that Clark Jr. is focus on telephone network infrastructure resource management and not a feature included with a mobile phone. Any reference to

communication between a mobile phone and an information service is from a perspective of the telephone network infrastructure and does not purport to describe actions taken by the mobile phone.

Thus, since all of the claims of the present invention are characterized from the perspective of actions taking place within a mobile phone, Clark Jr. does not read on any of the limitations since its description is based solely within a telephone network infrastructure.

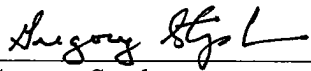
As a result, reconsideration of this application and withdrawal of the 35 USC 102(e) and 35 USC 103(a) rejections of claims 1-37 is hereby respectfully requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

Date: June 22, 2006

Telephone: (919) 286-8000
Facsimile: (919) 286-8199



Gregory Stephens
Attorney for Applicants
Registration No. 41,329
Moore & Van Allen PLLC
430 Davis Drive
Suite 500
Morrisville, NC 27560-6832